IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

MONDAY, THE 19TH NOVEMBER 2007 / 28TH KARTHIKA 1929

WP(C).No. 33933 of 2007(M)

PETITIONER:

L.WILSON, CHAIRMAN,
MARY MATHA EDUCATION SOCIETY, NO.T-284/97,
OLATHANNI, NEYYATTINKARA (PO), THIRUVANANTHAPURAM
DISTRICT.

BY ADV. SRI.N.N.SUGUNAPALAN (SR.)

RESPONDENTS:
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1. REGISTRAR, UNIVERSITY OF KERALA,
THIRUVANANTHAPURAM.

2. UNIVERSITY OF KERALA, REP. BY ITS
REGISTRAR, THIRUVANANTHAPURAM.

BY SRI. M. RAJAGOPALAN NAIR - SC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 19/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. SIRI JAGAN, J.

W.P.(C)No. 33933 OF 2007

Dated this the 19th day of November, 2007

JUDGMENT

The petitioner challenges the decision of the Kerala University to withdraw affiliation granted to the Mary Matha Education Society in Neyyattinkara Taluk as also cancellation of the examination Centre at the petitioner's College. This is on the ground that the Committee appointed by the University, when inspected the College, found very serious deficiencies regarding facilities available at the College.

2. Under the above circumstances, the petitioner has been issued with Ext.P3 notice calling upon the petitioner to make a representation in respect of the withdrawal of provisional affiliation to the petitioner's College. The petitioner was also informed by Ext.P6 that the Syndicate of the University has decided that the petitioner's College will not be a Centre of Examination for the B.TEch Degree Examination which is to be held from November/December 2007 onwards. The petitioner is

challenging Exts.P3 and P6.

3. The learned standing counsel appearing for the University submits that Ext.P3 is only a notice directing the petitioner to file their representation and comply with the deficiencies pointed out by the Committee, who inspected the petitioner's College and that a proper decision would be taken only after considering the representation of the petitioner. He would further submit that if the examination is being conducted at the petitioner's College, there is likelihood of irregularities in the conduct of the examination, and therefore the petitioner's College cannot be an examination Centre.

4. In so far as Ext.P3 is only a notice directing the petitioner to comply with certain directions or to file their representation in the matter, I am not inclined to interfere with the same at this stage. I also find that the petitioner has filed Ext.P4 explanation.

5. In the above circumstances, the respondents shall take a final decision pursuant to Ext.P3 considering Ext.P4 explanation also as expeditiously as possible after affording an opportunity of being heard to the petitioner.

6. Regarding the cancellation of the Examination

Centre, the University undertakes to conduct the Examination slated for November/December 2007 for the B.Tech Degree students of the petitioner's College in a suitable Examination Centre available nearest to the petitioner's College. This is recorded.

This writ petition is disposed of as above.

S. SIRI JAGAN, JUDGE

Acd